IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.GIRI

THURSDAY, THE 15TH NOVEMBER 2007 / 24TH KARTHIKA 1929

Con.Case(C).No. 1449 of 2007(S)

AGAINST THE JUDGEMENT/ORDER IN WPC.8888/2005 Dated 09/09/2005

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PETITIONER/PETITIONER

SHEEJA K.V., D/O VIJAYAN,
AGED 35 YEARS, PART-TIME SWEEPER,
GOVT. HOMEO DISPENSARY, PONJAR SOUTH P.O.,
KOTTAYAM DISTRICT, RESIDING AT KOCHUPARAMBIL,
POONJAR SOUTH P.O., KOTTAYAM DISTRICT.

BY ADV. SRI.M.V.THAMBAN

RESPONDENTS: RESPONDENTS

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1. DR. VISWAS METHA, IAS
AGE AND FATHERS NAME NOT KNOWN TO THE PETITIONER,
WORKING AS THE SECRETARY TO THE GOVT.,
DEPARTMENT OF HEALTH AND FAMILY WELFARE,
GOVT. SECRETARIAT, THIRUVANANTHAPURAM.

2. DR. PRASANNAKUMARI,
AGE AND FATHERS NAME NOT KNOWN TO THE PETITIONER,
WORKING AS DIRECTOR, DEPARTMENT HOMOEOPATHY,
EAST PORT THIRUVANATHAPURAM.

3. DR. A.M.THOMAS,
AGE AND FATHERS NAME NOT KNOWN TO THE PETITIONER,
WORKING AS HOMOEO MEDICAL OFFICER,
GOVT. HOMOEO DISPENSARY, POONJAR SOUTH P.O.,
KOTTAYAM DISTRICT.

BY GOVERNMENT PLEADER SRI.BIJOY CHANDRAN

THIS CONTEMPT OF COURT CASE (CIVIL) HAVING COME UP FOR ADMISSION ON 15/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

V. GIRI ,J.

COC NO. 1449 of 2007

Dated this the 14th day of November, 2007

JUDGMENT

Contempt is alleged in relation to the directions contained in Annexure-I judgment. An affidavit has been filed by the respondents stating that since the direction was of a general nature, time was taken to work out the modalities in consultation with the Finance Department. But later the Government had rejected the petitioner's request for regularisation as a Part-time Sweeper by Annexure R1(a) order dtd.18.10.2007. Learned counsel for the petitioner submits that there is no consideration of the relevant aspects while passing Annexure R1(a) order and directions issued in that regard have not been kept in mind. May be this is true. But in contempt proceedings, this Court cannot consider the correctness of the order passed by the Government pursuant to the directions issued by this Court. That will have to be done in properly instituted proceedings challenging Ext.R1(a). Without prejudice to the right of the petitioner to take appropriate proceedings in that regard, Contempt of Court Case is closed.

V. GIRI, JUDGE

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